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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Naoki HANASHIMA
Reio MOCHIDA

Serial No.: 10/810,392

Filed: March 26, 2004

Title: **OPTICAL WAVEGUIDE AND
METHOD OF FABRICATING
THE SAME**

Atty. Docket No.: WASH5920

) Examiner: Kaveh C. KIANNI

) Group Art Unit: 2883

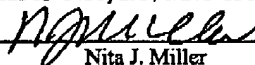
) Confirmation No.: 8602

) Customer No.: 22430

) **COMMENTS ON STATEMENT OF
REASONS FOR ALLOWANCE**

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 CFR §1.8

I hereby certify that this document is being transmitted by facsimile to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, at 571-273-8300, on **June 13, 2006**.


Nita J. Miller

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice of Allowability and Fee(s) Due mailed June 9, 2006, Applicants submit the following comments regarding the Examiner's statement of reasons for allowance contained therein.

Reasons for allowance are only warranted in instances in which "the record of the prosecution as a whole does not make clear the Examiner's reasons for allowing a claim or claims." 37 C.F.R. § 1.104(e).

In the present case, Applicant believes the record as a whole makes clear the reasons for allowance and therefore no statement by the Examiner is necessary or warranted. Furthermore, the statement may unfairly focus attention on the language of one of the independent claims although there are multiple allowed independent claims. Therefore, the record should reflect that Applicant does not necessarily agree with the Examiner's statement of reasons for allowance.

Applicant's claims should be limited only by the terms utilized therein. In this application, the Examiner loosely quotes portions of the allowed claims in the statement of reasons for allowance. Therefore, the statement is inaccurate to the extent that the language varies from the language that is recited in the respective claims. Thus, Applicant hereby submits these Comments in an effort to ensure that the claims are properly construed based only upon limitations that are expressly present therein and/or to ensure that the claims are not interpreted so as to include any additional claim limitations that are not found in the respective claims.

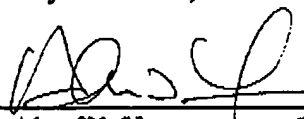
Should there remain unresolved issues that require action, it is respectfully requested that the Examiner telephone the undersigned so that any such issues may be resolved as expeditiously as possible.

Respectfully submitted,

Date:

June 12, 2006

By:


Alan W. Young
Attorney for Applicants
Registration No. 37,970

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